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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,994	10/21/2003	Hiroyuki Yoshida	LB-4255-5	4547
23117 7590 06/01/2010 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER				
TRINH, THANH TRUC				
ART UNIT		PAPER NUMBER		
1795				
MAIL DATE		DELIVERY MODE		
06/01/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action
Before the Filing of an Appeal Brief

Application No.

10/688,994

Applicant(s)

YOSHIDA ET AL.

Examiner

THANH-TRUC TRINH

Art Unit

1795

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11 May 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1, 3-18 and 20.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Basia Ridley/
Supervisory Patent Examiner, Art Unit 1795

Continuation of 11, does NOT place the application in condition for allowance because: Applicant argues that Ishikawa et al. in view of Meadows does not teach the claimed invention because Ishikawa et al. in view of Meadows discloses four sealing members are inserted along each of four sides of the solar cell module or glass thereby producing gaps between the adjacent sealing members. Applicant also points to Applicant's disclosed Figure 1 and argues that Applicant's claimed invention shows the integral frame-like shape sealing includes four pieces connected together to form a frame. However, Applicant's arguments are not deemed to be persuasive. Ishikawa et al. teaches an integral frame-like shape sealing made of four pieces surrounding the glass panel laminating the solar cell body inside. While Ishikawa et al. does not teach the arrangement of the sealing pieces like Applicant's claimed invention (or sealing the entire edge portion perimeter), Meadows teaches arranging the sealing pieces surround a glass panel just like Applicant's disclosed arrangement (or sealing the entire edge portion perimeter) to prevent the entrance of foreign substances. It would have been obvious to one skilled in the art at the time the invention was made to arrange the sealing pieces of Ishikawa et al. to seal the entire edge perimeter as taught by Meadows to take the advantage of preventing the entrance of foreign substance.

Applicant also argues that Ishikawa et al. and Meadows are non-analogous art because Ishikawa discloses a sealing within a frame and Meadows' sealing is the frame itself. The Examiner replies that both Ishikawa and Meadows disclose frame-like shape sealing (e.g. also what Applicant's claim), wherein Meadows is relied upon for teaching the arrangement of the sealing pieces and how to form the frame-like shape with the advantage of preventing entrance of foreign substance which is similar to Ishikawa et al's invention as Ishikawa et al. describes the edge sealing as "gasket".

Applicant further argues that even though Ishikawa et al's figures show the tongues of the sealing are completely flattened, but Applicant believes that there is no pressure from the structure of the frame disclosed by Ishikawa et al. to cause the sealing member to be flattened. However, the Examiner respectfully disagrees. First of all, Applicant has not provided any evidence to support the argument that there is no pressure that would cause the tongues of sealing to be flattened even if Ishikawa et al. shows the tongues of the sealing to be flattened in the figures. Therefore the Examiner maintains the tongues of the sealing disclosed by Ishikawa et al. is flattened. An example of such pressure can be come from the desired size and dimension of the frame, or the spacing between engaged portions of the frame..